



Department of Human Resources

ADULT AND FAMILY SERVICES DIVISION

PUBLIC SERVICE BUILDING, SALEM, OREGON 97310

Transmittal #89-17

Attachment 4.16-A

Part 5, Page 1

SSD CONTRACT #90332

AFS Contract No. 90036

Adult and Family Services Division
Senior Services Division
Title XIX Agreement

This Agreement is made and entered into by and between the Adult and Family Services Division, hereafter referred to as AFS and the Senior Services Division, hereafter referred to as SSD.

I. PURPOSES

- A. The Health Services Section of AFS is the Medical Assistance Unit of the Department of Human Resources (DHR), responsible for Title XIX services in the State of Oregon and for assuring that those services meet all relevant Federal Regulations. SSD is a sister agency under DHR, responsible for planning, developing, and coordinating services for the elderly and disabled.
- B. This Agreement authorizes AFS to use the professional expertise of SSD to assist in administering the Title XIX services listed under Section II. of the Agreement.

II. OBJECTIVES

- A. In order to provide a broad spectrum of coordinated services to Title XIX eligible clients, SSD assumed administrative responsibility for the following Title XIX services effective October 1, 1981:
1. Skilled Nursing Facility Services (42 CFR, Part 442, Subpart D);
 2. Intermediate Care Facility Services (42 CFR, Part 442, Subparts E and F);
 3. Home Health Services (42 CFR 440.70);
 4. Personal Care Services in a Recipient's Home (42 CFR 440.170. (f));
 5. Title XIX Training (42 CFR 432, Subparts A, B, and C) for SSD Administrative staff;
 6. Oxygen and related equipment for aged, blind and disabled persons, age 18 years and older;
 7. Durable medical equipment for aged, blind and disabled persons, age 18 years and older;

AN EQUAL OPPORTUNITY EMPLOYER

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8. Medical supplies for aged, blind and disabled persons, age 18 years and older;
9. Private duty nursing services for aged, blind and disabled persons, age 18 years and older;
10. Physical therapy for aged, blind and disabled persons, age 18 years and older;
11. Occupational therapy for aged, blind and disabled persons, age 18 years and older; and
12. Speech therapy and Hearing services for aged, blind and disabled persons, age 18 years and older.

III. DEFINITIONS

Title XIX, Medicaid and Medical Assistance - Title XIX of the Social Security Act.

IV. DESIGNATION OF LIAISONS

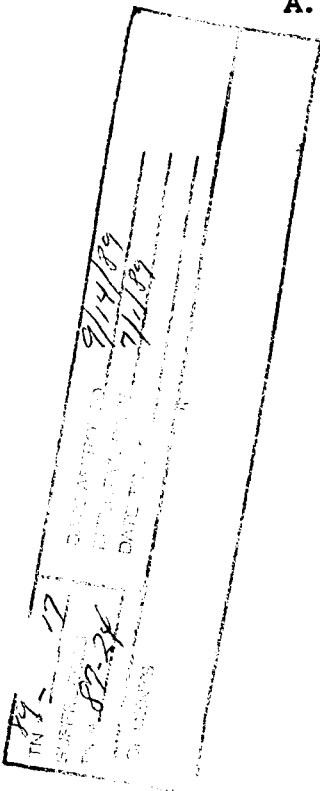
The primary liaison persons under this Agreement are:

- A. For AFS: the Assistant Administrator of AFS for the Health Services Section.
- B. For SSD: The Assistant Administrator of SSD for Program Assistance Program.

V. RESPONSIBILITIES OF EACH PARTY

- A. SSD assumes the following responsibilities for services listed in Section II.:

1. Writing of state administrative rules for Title XIX services listed in Section II., coordinating with AFS to assure compliance with Title XIX State Plan, AFS Title XIX Administrative Rules and Federal rules and regulations;
2. Write necessary Title XIX State Plan Amendments and submit to AFS for processing;
3. Prepare state biennial budgets for Title XIX services and present the budget to the Legislature;
4. Audit nursing facility providers in accordance with 42 CFR 447.253.
5. Conduct and/or monitor Utilization Review and inspection of care for nursing facility services in accordance with appropriate sections of 42 CFR 456, except ICF/MR.
6. Screen clients in order to determine their need for Title XIX nursing facility services, home health services, and personal care services in their own home.



7. Prepare and submit to AFS reports or statistical data necessary to meet Federal requirements;
 8. Plan and provide Title XIX training for qualified administrative staff in accordance with 42 CFR 432 Subparts A, B, and C;
 9. Provide medical liaison and consultation for Title XIX eligible clients and providers.
 10. Any Federal audits of the Title XIX services and functions under SSD administration that results in a refund to the Federal government will be paid by SSD. Any recoveries from providers or the Federal government will go to SSD;
 11. Contract with qualified providers for services to eligible clients.
 12. Contract with appropriate local units of government to assist in administration of Title XIX services in designated local areas.
 13. Determines individual client's financial eligibility.
 14. Collect from the client, during the initial application and at each redetermination, such health insurance information as would be useful in identifying legally liable third party resources, and transmit this information to AFS so that AFS may process claims in accordance with 42 CFR 433.139.
- B. AFS retains the following responsibilities for the services listed in Section II. above:
1. Maintain its role as Medical Assistance Unit for the single state agency (Department of Human Resources);
 2. Management of the Title XIX State Plan;
 3. Provide technical support to SSD in administering Title XIX services including providing copies and revisions of the Federal Code of Federal Regulations, Medical Assistance manuals, Federal Action Transmittals, Title XIX State Plan, AFS Medicaid Administrative Rules, and appropriate AFS Procedural Manuals;
 4. Review Title XIX related administrative rules and policies developed by SSD to assure consistency with Federal Regulations and the State Medicaid Plan;
 5. Maintain liaison with Region X, HCFA on Title XIX administrative issues. However, at the request of SSD, AFS will initiate meeting(s) with Region X and HCFA staff to resolve problems or clarify issues. SSD will participate in all such meetings;

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6. Provide administrative support services to SSD, in the following areas:
 - a. Fair Hearings;
 - b. Utilization Control;
 - c. Fraud and Abuse;
 - d. Issuance of checks to qualified providers;
 - e. Maintenance of data systems on client, provider and vendor payments;
 - f. Preparation of required reports to the Federal government; and
 - g. Maintenance of financial accounting processes for Title XIX services administered by the Senior Services Division;
 7. Provide monthly reports to SSD on the number of clients served, services provided, and the total dollars spent;
 8. Review and monitor SSD's Utilization Review procedures. Provide SSD with any and all written reports resulting from such monitoring;
 9. Maintain Medicaid eligibility policy.
- C. AFS and SSD will:

Comply with the Title XIX of the Social Security Act, Federal Medical Assistance Manual and Federal Regulations governing administration of Title XIX services. Differences between AFS and SSD regarding interpretation of these regulations will be referred first to the DHR Director and finally to Region X, HCFA.

VI. JOINT TRAINING AND ORIENTATION

Title XIX training provided by either AFS or SSD will be available to relevant staff working with Title XIX clients.

Per diem cost when attending Title XIX training will be paid by the employees' respective Division.

Both Divisions will coordinate and combine as many mutual training events as possible.

VII. REPORTING, REVIEWING AND MONITORING

The responsibilities of both AFS and SSD are listed in Section V.

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VIII. CONFIDENTIALITY

AFS and SSD maintain confidentiality all information on applicants and recipients of Title XIX services pursuant to the requirements set forth under 42 CFR, Part 431, Subpart F. Confidentiality policies apply to all requests for information from outside sources. SSD and AFS are assuming a partnership role in administering Title XIX services; therefore, neither Division will regard the other as an "outside source," for the purposes of 42 CFR 431.306(e). It is understood that SSD staff includes those employees of local area agencies on aging who are providing Title XIX administration by special agreement with SSD.

IX. CIVIL RIGHTS

Both AFS and SSD agree to provisions of the Civil Rights Act of 1964, as amended, and to Title V of the Rehabilitation Act of 1973, as amended.

X. LEGAL AUTHORITY

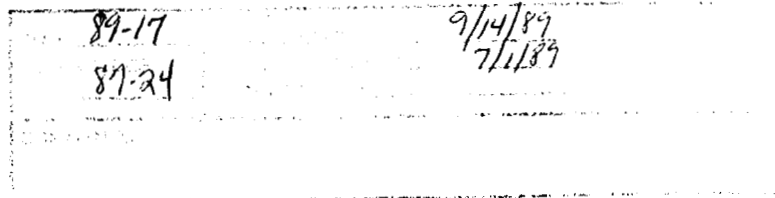
Authority for this Agreement is contained in ORS 414.085 and Senate Bill 955, Section 35.

XI. AMENDMENTS

The Agreement may be amended by either party with the concurrence of the other. The written amendments must be signed by the Administrators of AFS and SSD.

XII. RENEWAL/TERMINATIONS

- A. This Agreement will cover the period from July 1, 1989 through June 30, 1991. A renewal Agreement must be signed by the Administrator of both agencies.
- B. This Agreement may not be terminated by AFS or SSD without approval of DHR and then may occur only with an organized implementation plan that assures continuity of services to Title XIX clients.



SENIOR SERVICES DIVISION

Richard C. Ladd
Richard C. Ladd, Administrator

6-27-89
Date

ADULT AND FAMILY SERVICES DIVISION

Jon Yunker
Jon Yunker, Acting Administrator

7/5/89
Date

Reviewed by HSS Manager Jean Thorne 6/29/89
Date

Reviewed by AFS Program Manager Richard H. Dent 6-26-89
Date

Reviewed by AFS Contract Manager Nan Washburn 6/30/89
Date

Reviewed by SSD Program Manager Suzanne L. Distefano 6-26-89
Date

Reviewed by SSD Contract Manager Neil H. Gibson 6-22-89
Date

State Liaison: AFS Medicaid Coordinator

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Department of Human Resources

AFS Contract No. 90027

ADULT AND FAMILY SERVICES DIVISION

PUBLIC SERVICE BUILDING, SALEM, OREGON 97310

Adult and Family Services Division
Children's Services Division
Title XIX Agreement

This Agreement is made and entered into by and between the Adult and Family Services Division, hereafter referred to as AFS and the Children's Services Division, hereafter referred to as CSD.

I. PURPOSES

- A. The Health Services Section of AFS is the Medical Assistance Unit of the Department of Human Resources (DHR), responsible for Title XIX services in the State of Oregon and for assuring that those services meet all relevant Federal Regulations. CSD is a sister agency under DHR, responsible for planning, developing, and coordinating services for children.
- B. This Agreement authorizes AFS to use the professional expertise of CSD to assist in administering the Title XIX Services listed under Section II. of the Agreement.

II. OBJECTIVES

In order to provide a broad spectrum of coordinated services to Title XIX eligible clients, CSD assumes administrative responsibility for the following Title XIX services:

1. Day Treatment [42 CFR 440.130 (d)] for individuals under twenty-one who have been determined to require such services.
2. Title XIX Training (42 CFR 432, Subparts A, B, and C) for CSD Administrative staff.
3. Inpatient psychiatric services for individuals under age twenty-one in psychiatric facilities or programs (42 CFR, Part 441, Subpart D) (facilities other than psychiatric hospitals only).

III. DEFINITIONS

Title XIX, Medicaid and Medical Assistance - Title XIX of the Social Security Act.

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APPROVED	EFFECTIVE DATE 7/1/89
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COMMENTS	



13. Determine client's eligibility for Tital XIX; and
 14. Collect from the client, during the initial application and at each redetermination, such health insurance information as would be useful in identifying legally liable third party resources, and transmit this information to AFS so that AFS may process claims in accordance with 42 CFR 433.139.
- B. AFS retains the following responsibilities for the services listed in Section II. above:
1. Maintain its role as Medical Assistance Unit for the single state agency (Department of Human Resources);
 2. Management of the Title XIX State Plan;
 3. Provide technical support to CSD in administering Title XIX services including providing copies and revisions of the Federal Code of Federal Regulations, Medical Assistance Manual, Federal Action Transmittals, Title XIX State Plan, AFS Medicaid Administrative Rules, and appropriate AFS Procedural Manuals;
 4. Review Title XIX related administrative rules and policies developed by CSD to assure consistency with Federal Regulations and the State Medicaid Plan;
 5. Maintain liaison with Region X, HCFA on Title XIX administrative issues. However, at the request of CSD, AFS will initiate meeting(s) with Region X and HCFA staff to resolve problems or clarify issues. CSD will participate in all such meetings;
 6. Provide administrative support services to CSD, in the following areas:
 - a. Fair Hearings;
 - b. Utilization Control; and
 - c. Fraud and Abuse;
 7. Review and monitor CSD's Utilization Review procedures. Provide CSD with any and all written reports resulting from such monitoring;
 8. Issuance of checks to qualified inpatient psychiatric residential services providers.
- C. AFS and CSD will:

Comply with the Title XIX of the Social Security Act, Federal Medical Assistance Manual and Federal Regulations governing administration of Title XIX services. Differences between AFS and CSD regarding interpretation of these regulations will be referred first to the DHR Director and finally to Region X, HCFA.

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SUPERSEDES TN 87-36	DATE TO GO 7/1/89
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VI. JOINT TRAINING AND ORIENTATION

Title XIX training provided by either AFS or CSD will be available to relevant staff working with Title XIX clients.

Per diem cost when attending Title XIX training will be paid by the employees' respective Division.

Both Divisions will coordinate and combine as many mutual training events as possible.

VII. REPORTING, REVIEWING, AND MONITORING

The responsibilities of both AFS and CSD are listed in Section V.

VIII. CONFIDENTIALITY

AFS and CSD will keep confidential all information on applicants and recipients of Title XIX services (42 CFR, Part 431, Subpart F).. Confidentiality policies apply to all requests for information from outside sources. CSD and AFS are assuming a partnership role in administering Title XIX services; therefore, neither Division will regard the other as an "outside source," for the purposes of 42 CFR 431.306(e).

IX. CIVIL RIGHTS

Both AFS and CSD agree to provisions of the Civil Rights Act of 1964, as amended, and to Title V of the Rehabilitation Act of 1973, as amended.

X. LEGAL AUTHORITY

Authority for this Agreement is contained in ORS 414.085 and 418.005(d).

XI. AMENDMENTS

The Agreement may be amended by either party with the concurrence of the other. The written amendments must be signed by the Administrators of AFS and CSD.

XII. RENEWAL/TERMINATIONS

A. This Agreement will cover the period from July 1, 1989 through June 30, 1991. A renewal Agreement must be signed by the Administrator of both agencies.

B. This Agreement may not be terminated by AFS or CSD without approval of DHR and then may occur only with an organized implementation plan that assures continuity of services to Title XIX clients.

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